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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Arispe et al.

Docket No.: PF453P3

Application No.: 09/989,687

Confirmation No.: 9708

Filed: November 21, 2001

Art Unit: 1642

For: METH1 and METH2 Polynucleotides and
Polypeptides

Examiner: K. A. Canella

RESPONSE TO OFFICE COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Communication mailed December 28, 2004, Applicants request clarification of the assertion that "[t]he amendment to the claims filed on Oct 5, 2004 does not comply with the requirements of 37 CFR 1.121(c) because claim 1 fails to mark the deletion of the words 'or METH2'." Applicants respectfully submit that the amendment of claim 1 is in compliance since it properly includes the words "or METH 2" after subparagraph (n).

Attached please find a copy of the claims as currently pending in which the words "or METH2" have been highlighted in bold for the Examiner's convenience.

If a fee is required in connection with this paper, please charge Deposit Account No. 08-3425 for the appropriate amount.

Respectfully submitted,

Melissa Jean Pytel (Reg. No. 41,512)

Date: January 5, 2005

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MMW/MJP/ba